



William T. Walsh
Clerk

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
OFFICE OF THE CLERK
M. L. KING JR. FEDERAL BLDG. & U.S. COURTHOUSE
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(973) 645-3730

CAMDEN OFFICE
ONE JOHN F. GERRY PLAZA
FOURTH & COOPER STREETS
CAMDEN, NJ 08101

TRENTON OFFICE
402 EAST STATE STREET
ROOM 2020
TRENTON, NJ 08608

REPLY TO: _

October 25, 2006

Mr. Peter T. Dalleo
Clerk
United States District Court
4209 J. Caleb Boggs Federal Building
844 North King Street
Wilmington, DE 19801-3519

Re: U.S.A. -v- FRANK C. SIMMONS
Our Docket No. 01CR667 (JEI)
Your Docket No. 06cr58 SLR

Dear Clerk:

A Transfer of Jurisdiction Order (Prob 22 form) has been filed with this District in the above-captioned case. This District considers the electronic record to be the original pursuant to Federal Rules of Criminal Procedure 49(d), Local Civil Rule 5.2 and paragraph 7 of the Court's Electronic Case Filing Policies and Procedures. The original records of this Court can be obtained by accessing CM/ECF through PACER. Certified copies of any document not available through PACER are enclosed. Kindly acknowledge receipt on the duplicate of this letter, which is provided for your convenience.

Sincerely,

WILLIAM T. WALSH, Clerk

By: _____s/ Thomas J. Haggerty_____
Deputy Clerk

RECEIPT ACKNOWLEDGED BY: Francesca Passone

DATE: 10/27/06.

FILED

OCT 27 2006

U.S. DISTRICT COURT
DISTRICT OF DELAWARE

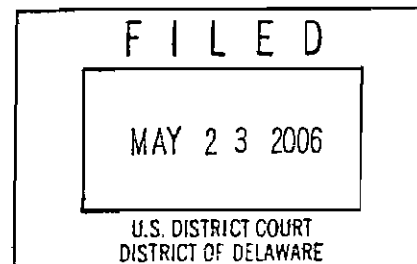
Instructions for Retrieving Electronic Case Files

1. Access the CM/ECF website for the District of New Jersey at <https://ecf.njd.uscourts.gov>
2. Click on: Link to Electronic Filing System (Live)
3. At the ECF/PACER Login Screen, enter your Court's PACER Login and Password
4. On the CM/ECF toolbar, choose:
 - Reports
 - Docket Sheet
 - Enter Case Number in the following format: **[06-1234]**
 - Run Report
 - ▶ To view a document from the docket sheet, click on the blue "underlined" document number;
 - ▶ To download, click on File, Save a Copy and save to your specific directory;
 - ▶ If the document does not have an underlined document number, it is either:
 - A text only entry and no document is attached, or
 - An entry made prior to electronic case filing and the original is enclosed, or
 - The document included an attachment too large for the electronic case filing system and is enclosed.

If you have any questions, our ECF help-desk telephone numbers are as follows:

- ▶ Camden - 866-726-0726 or 856-757-5285
- ▶ Newark - 866-208-1405 or 973-645-5924
- ▶ Trenton - 866-848-6059 or 609-989-2004

PROB 22 (Rev. 2/88)		DOCKET NUMBER (Tran. Court) 01-00667-001	
TRANSFER OF JURISDICTION		DOCKET NUMBER (Rec. Court) <div style="font-size: 1.5em; font-family: cursive;">CR06-58</div>	
NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE: Frank Simmons	DISTRICT New Jersey	DIVISION <div style="font-size: 2em; border: 1px solid black; border-radius: 50%; display: inline-block; padding: 5px;">1</div>	
	NAME OF SENTENCING JUDGE Honorable Joseph E. Irenas		
	DATES OF PROBATION/ SUPERVISED RELEASE:	FROM August 31, 2005	TO August 30, 2009
OFFENSE 21 USC 846 - Conspiracy to Distribute and Possess with Intent to Distribute More than 500 Grams of Cocaine			
PART 1 - ORDER TRANSFERRING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE District of New Jersey			
IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of the Court to the United States District Court for the District of Delaware upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this Court.*			
<div style="text-align: center;"> <div style="font-size: 1.5em; font-family: cursive;">4/20/06</div> <hr style="width: 100%;"/> Date </div>		<div style="text-align: center;"> <hr style="width: 100%;"/> United States District Judge </div>	
*This sentence may be deleted in the discretion of the transferring Court.			
PART 2 - ORDER ACCEPTING JURISDICTION			
UNITED STATES DISTRICT COURT FOR THE District of Delaware			
IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.			
<div style="text-align: center;"> <div style="font-size: 1.5em; font-family: cursive;">6/1/06</div> <hr style="width: 100%;"/> Effective Date </div>		<div style="text-align: center;"> <hr style="width: 100%;"/> United States District Judge </div>	



#12

2001R00676/dvc

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

Hon.

FILED

v.

Criminal No. 01-

1001 1 8 2001

FRANK C. SIMMONS

21 U.S.C. § 846

AT 8:30

WILLIAM T. WALSH
CLERK

INFORMATION


The defendant having waived in open court prosecution by indictment, the United States Attorney for the District of New Jersey charges:

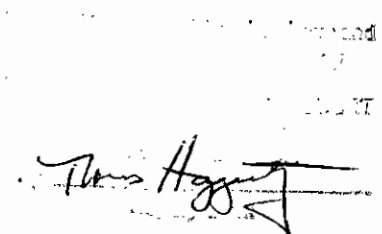
From on or about April 18, 2001, through on or about April 24, 2001, at Salem County, in the District of New Jersey, and elsewhere, defendant

FRANK C. SIMMONS

did knowingly and intentionally conspire and agree with others to distribute and to possess with intent to distribute more than 500 grams of cocaine, a Schedule II narcotic drug controlled substance, contrary to Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(ii).

In violation of Title 21, United States Code, Section 846.


ROBERT J. CLEARY
United States Attorney



**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA

v.

FRANK C. SIMMONS

INFORMATION

Title 21, United States Code,
Sections 846

ROBERT J. CLEARY
U.S. ATTORNEY NEWARK, NEW JERSEY

DIANA V. CARRIG
ASSISTANT U.S. ATTORNEY
CAMDEN, NEW JERSEY

:jd

19

UNITED STATES DISTRICT COURT
District of New Jersey

UNITED STATES OF AMERICA

v.

Case Number 1:01-CR-0667

FRANK C. SIMMONS

Defendant.

FILED

FEB 11 2002

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

AT 8:30 M
WILLIAM T. WALSH
CLERK

The defendant, FRANK C. SIMMONS, was represented by Craig Mitnick, Esq.

The defendant pled guilty to count 1 of the Information on October 18, 2001. Accordingly, the court has adjudicated that the defendant is guilty of the following offense:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date of Offense</u>	<u>Count Number(s)</u>
21 USC 846	Conspiracy to Distribute and Possess with Intent to Distribute More than 500 grams of Cocaine	April 18-24, 2001	1

As pronounced on February 8, 2002, the defendant is sentenced as provided in pages 2 through 4 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$100.00, for count 1, which shall be due immediately. Said special assessment shall be made payable to the Clerk, U.S. District Court.

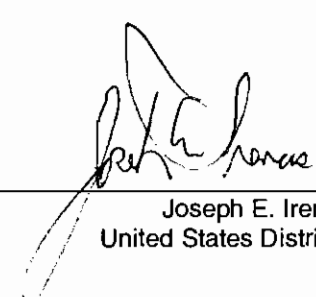
It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

Signed this the 11th day of February, 2002.

ENTEREDON
THE DOCKET**FEB 13 2002**

WILLIAM T. WALSH, CLERK

By ACR
(Deputy Clerk)



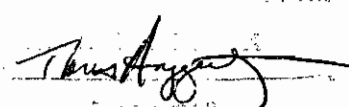
Joseph E. Irenas
United States District Judge

Defendant's SSN: [REDACTED] 3294

Defendant's Date of Birth: [REDACTED] 75

Defendant's mailing address: Federal Detention Center, P.O. Box 562, Philadelphia, PA 19105

Defendant's residence address: [REDACTED] New Castle, Delaware [REDACTED]



Judgment--Page 2 of 4

Defendant: FRANK C. SIMMONS
Case Number: 1:01-CR-0667

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 60 Months.

The Court makes the following recommendations to the Bureau of Prisons: (1) that defendant be permitted to participate in the Boot Camp Program; and (2) that defendant be designated to F.C.I. Fairton or F.C.I. Fort Dix.

The defendant shall remain in custody pending service of sentence.

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this Judgment.

United States Marshal

By _____
Deputy Marshal

Defendant: FRANK C. SIMMONS
Case Number: 1:01-CR-0667

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be placed on supervised release for a term of 4 years.

While on supervised release, the defendant shall comply with the standard conditions that have been adopted by this court (on the next page):

The defendant shall submit to one drug test within 15 days of commencement of supervised release and at least two tests thereafter as determined by the probation officer.

The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remains unpaid at the commencement of the term of supervised release.

and shall comply with the following additional conditions:

The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, if directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.

The defendant shall provide the U.S. Probation Office with full disclosure of his financial records to include yearly income tax returns upon the request of the U.S. Probation Office. The defendant shall cooperate with the probation officer in the investigation of his financial dealings and shall provide truthful monthly statements of his income.

Defendant: FRANK C. SIMMONS
Case Number: 1:01-CR-0667

STANDARD CONDITIONS OF SUPERVISION

While the defendant is on supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another federal, state, or local crime during the term of supervision.
- 2) The defendant shall not illegally possess a controlled substance.
- 3) If convicted of a felony offense, the defendant shall not possess a firearm or destructive device.
- 4) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 5) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 6) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 7) The defendant shall support his or her dependents and meet other family responsibilities.
- 8) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 9) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 10) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances.
- 11) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 12) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 13) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 14) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 15) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 16) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

CLOSED, PRIOR

**U.S. District Court
District of New Jersey [LIVE] (Camden)
CRIMINAL DOCKET FOR CASE #: 1:01-cr-00667-JEI-ALL
Internal Use Only**

Case title: USA v. SIMMONS
Magistrate judge case number: 1:01-mj-02048

Date Filed: 10/18/2001

Assigned to: Judge Joseph E.
Irenas

Defendant

FRANK C. SIMMONS (1)
TERMINATED: 02/11/2002

represented by **CRAIG R. MITNICK**
35 KINGS HIGHWAY EAST
HADDONFIELD, NJ 08033
(856) 427-9000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Pending Counts

21:846=CD.F CONSPIRACY
TO DISTRIBUTE
CONTROLLED SUBSTANCE
(1)

Disposition

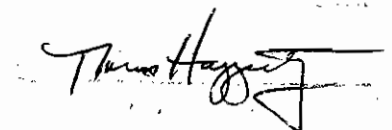
Imprisonment for a term of 60
Months, Supervised Release for
a term of 4 Years, Fine Waived.
S/A \$100.00.

Highest Offense Level
(Opening)

Felony

Terminated Counts

Disposition



None

Highest Offense Level
(Terminated)

None

Complaints

Disposition

None

Plaintiff

USA

TERMINATED: 02/11/2002

represented by **DIANA V. CARRIG**

OFFICE OF THE US

ATTORNEY

US POST OFFICE BUILDING

401 MARKET STREET

4TH FLOOR

CAMDEN, NJ 08101

(856) 757-5026

Email: diana.carrig@usdoj.gov

TERMINATED: 02/11/2002

LEAD ATTORNEY





ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/25/2001	1	COMPLAINT as to FRANK C. SIMMONS [1:01-m -2048] (MB) (Entered: 04/25/2001)
04/25/2001		ARREST of FRANK C. SIMMONS [1:01-m -2048] (MB) (Entered: 04/25/2001)
04/25/2001	2	Minutes of 4/25/01 before Mag. Judge Joel B. Rosen as to FRANK C. SIMMONS, Initial Appearance held. Deft informed of rights, charges and penalties.

		Hearing on appl by deft to appt counsel. Ordered appl Granted. Ordered Anne Blanchard, AFPD appt for deft. Order to be entered. Hearing on appl by Govt for pretrial detention and 3 day continuance. Hearing on appl by deft for continuance. Ordered govt's appl Granted. Ordered detention hearing set for Monday, April 30, 2001 at 10:00 a.m. Order to be entered, Ordered Preliminary Hearing set for 9:30 5/9/01 for FRANK C. SIMMONS (Court Reporter/ESR: Tape # 923) [1:01-m -2048] (MB) (Entered: 04/25/2001)
04/25/2001		**Added Government Attorney DIANA V CARRIG as to FRANK C. SIMMONS [1:01-m -2048] (MB) (Entered: 04/25/2001)
04/25/2001	3	ORDER as to FRANK C. SIMMONS, app Appointing Federal Public Defender (Signed by Mag. Judge Joel B. Rosen) [1:01-m -2048] (MB) (Entered: 04/25/2001)
04/25/2001		**Added for FRANK C. SIMMONS Attorney ANNE BLANCHARD [1:01-m -2048] (MB) (Entered: 04/25/2001)
04/25/2001	4	CJA 23 FINANCIAL AFFIDAVIT by FRANK C. SIMMONS [1:01-m -2048] (MB) (Entered: 04/25/2001)
04/25/2001	5	ORDER OF TEMPORARY DETENTION as to FRANK C. SIMMONS (Signed by Mag. Judge Joel B. Rosen) [1:01-m -2048] (MB) (Entered: 04/25/2001)
04/27/2001	6	NOTICE of Appearance for FRANK C. SIMMONS by Attorney CRAIG R. MITNICK and waiver of preliminary hearing [1:01-m -2048] (MB) Modified on 05/02/2001 (Entered: 05/02/2001)
04/27/2001		**Terminated attorney ANNE BLANCHARD for FRANK C. SIMMONS [1:01-m -2048] (MB) (Entered: 05/02/2001)

05/09/2001	7	Minutes of 5/9/01 before Mag. Judge Joel B. Rosen as to FRANK C. SIMMONS, Bail hearing held. Bail application withdrawn by deft. Order of Pretrial Detention to be entered. Ordered deft remanded pending further proceedings. (Court Reporter/ESR: Tape# 924) [1:01-m -2048] (MB) (Entered: 05/14/2001)
05/09/2001	8	ORDER OF DETENTION PENDING TRIAL as to FRANK C. SIMMONS (Signed by Mag. Judge Joel B. Rosen) [1:01-m -2048] (MB) (Entered: 05/14/2001)
05/14/2001	9	ORDER as to FRANK C. SIMMONS, to Continue in Interests of Justice Time Excluded from 5/14/01 to 7/16/01 (Signed by Mag. Judge Joel B. Rosen) [1:01-m -2048] (MB) (Entered: 05/14/2001)
07/17/2001	10	ORDER as to FRANK C. SIMMONS, to Continue in Interests of Justice Time Excluded from 7/17/01 to 9/16/01 (Signed by Mag. Judge Joel B. Rosen) [1:01-m -2048] (MB) (Entered: 07/17/2001)
09/20/2001	11	ORDER as to FRANK C. SIMMONS, to Continue in Interests of Justice Time Excluded from 9/20/01 to 11/16/01 (Signed by Mag. Judge Joel B. Rosen) [1:01-m -2048] (BM) (Entered: 09/20/2001)
10/18/2001	12	INFORMATION as to FRANK C. SIMMONS (1) count(s) 1 (Preliminary Hearing cancelled.) (ds) (Entered: 10/26/2001)
10/18/2001		**Added Government Attorney DIANA V CARRIG as to FRANK C. SIMMONS (ds) (Entered: 10/26/2001)
10/18/2001	13	Minutes of 10/18/01 before Judge Joseph E. Irenas as to FRANK C. SIMMONS, Initial Appearance held. (Defendant informed of rights.) , set Sentencing for 9:30 2/1/02 for FRANK C. SIMMONS. Ordered defendant remanded to custody of US Marshal. (Court

		Reporter/ESR: Stephen Daner) (ds) (Entered: 10/26/2001)
10/18/2001	14	WAIVER OF INDICTMENT by FRANK C. SIMMONS (ds) (Entered: 10/26/2001)
10/18/2001		PLEA of Guilty: FRANK C. SIMMONS (1) count(s) 1 ; Court accepts plea. (ds) (Entered: 10/26/2001)
10/18/2001	15	Plea Agreement as to FRANK C. SIMMONS (ds) (Entered: 10/26/2001)
10/18/2001	16	APPLICATION FOR PERMISSION TO ENTER PLEA OF GUILTY by FRANK C. SIMMONS (ds) (Entered: 10/26/2001)
10/26/2001	17	NOTICE OF ALLOCATION AND ASSIGNMENT in Courtroom 5A Camden (before Judge Joseph E. Irenas) (ds) (Entered: 10/26/2001)
02/11/2002	18	Minutes of 2/11/02 before Judge Joseph E. Irenas as to FRANK C. SIMMONS, Hrg. on deft's. motions for downward departure. Ordered motion for downward departure based on drug addiction is withdrawn with consent of the parties. Ordered motion for downward departure based on minor role adjustment is granted. Ordered motion for downward departure based on overstatement of deft's. criminal status history is granted. Sentencing held. FRANK C. SIMMONS (1) count(s) 1 . Deft. remanded to the U.S. Marshal. (Court Reporter/ESR: Stephen Daner) (ar1) (Entered: 02/13/2002)
02/11/2002	19	JUDGMENT FRANK C. SIMMONS (1) count(s) I. Imprisonment for a term of 60 Months, Supervised Release for a term of 4 Years, Fine Waived. S/A \$100.00. (signed by Judge Joseph E. Irenas) party FRANK C. SIMMONS, party USA. (NM) (ar1) (Entered: 02/13/2002)
02/13/2002		**Case closed as to FRANK C. SIMMONS (all defendants). party FRANK C. SIMMONS party USA

		(ar1) (Entered: 02/13/2002)
08/31/2004		Attorney update in case as to FRANK C. SIMMONS. Attorney CRAIG R. MITNICK for FRANK C. SIMMONS added. (lc,) (Entered: 09/02/2004)
08/31/2004	 <u>20</u>	MOTION to Amend Judgment of Conviction by FRANK C. SIMMONS. (Attachments: # <u>1</u> CERTIFICATION WITH ATTACHMENTS# <u>2</u> CERTIFICATION OF SERVICE# <u>3</u> PROPOSED ORDER)(lc,) (Motion was filed without the attorney's signature as per Judge Irenas) (Entered: 09/02/2004)
08/31/2004	 <u>21</u>	ORDER denying <u>20</u> Motion to Amend Judgment as to FRANK C. SIMMONS (1). Signed by Judge Joseph E. Irenas on 8/31/04. (lc,) (Entered: 09/02/2004)
10/23/2006	 <u>22</u>	Supervised Release Transferred to District of Delaware as to FRANK C. SIMMONS Transmitted Transfer of Jurisdiction form, with certified copies of information, judgment and docket sheet. (Attachments: # <u>1</u> Transmittal Letter)(th,) (Entered: 10/25/2006)

CLERK, UNITED STATES DISTRICT COURT

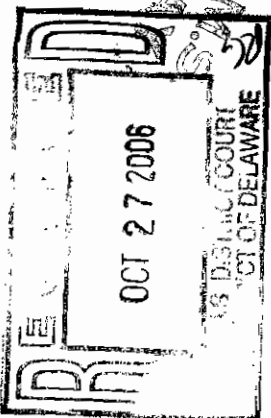
P.O. BOX 2797
CAMDEN, NJ 08101
OFFICIAL BUSINESS

Mr. Peter T. Dallo
Clerk
United States District Court
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844 North King Street
Wilmington, DE 19801-3519



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